



26 September 2012

Dear Councillor Brown,

RE: Proposed Sale of Ryde Theatre/Town Hall, Ryde

I refer to the decision regarding the proposed sale of Ryde Theatre which you are intending to take shortly. The Town Council held a meeting yesterday evening to consider the proposed decision and those Members who were present asked that I make the following representations to you as matter of urgency.

1. Members were disappointed that neither the Town Council nor the local community has been consulted at any stage of the disposal process.
2. Members were concerned to see that because the property was not explicitly marketed as theatre/event venue by the IWC a condition of sale will not be imposed in order to secure the buildings' future as a venue; you will appreciate that without this condition the stated commitment by the final bidders to keep the building open as a venue will be not enforceable by the IWC (or by the local community) and therefore the building is at risk from future closure and/or from alternative future development.
3. The Town Council considers that the value of both of the final bids is well below the true value of the land and buildings and as such considers that the IWC has not satisfied the requirement that it seek best consideration for the disposal.
4. Because of this the Town Council would like you to consider the inclusion of an overage or clawback clause as part of the disposal; this would ensure that should the site ever be developed or resold, that the local community still receive some benefit from the proposed sale. The Council notes that The Disposal of Heritage Assets Guidance Note supports the use of overage and states 'An overage or clawback covenant may be used when a department is seeking a share in the development profit resulting from a subsequent grant of permission or from an appreciation in site value due to market conditions. Such sales may be appropriate in selling heritage assets, where they would expedite the transfer of responsibility for ongoing maintenance to a suitable purchaser.' (para 8.4)
5. The Guidance indicates that a purchaser should provide evidence of its funding source for the sale of any heritage asset. The report does not explicitly set out what evidence has been provided and the Council asks if you, as Cabinet Member, are satisfied with the evidence as the Guidance also points out that 'problems have arisen in the past where heritage assets have been sold to purchasers who have not been able to maintain them properly. When sale is by competitive tender or by any form of private treaty, professional advice should, wherever possible, be taken on the financial soundness of the prospective purchaser.' (para 9.3)



RYDE

TOWN COUNCIL

the town on the beach

6. The Disposal of Heritage Assets Guidance Note states that 'departments should take reasonable steps to ensure that purchasers of vulnerable heritage assets have the resources to maintain them. Alternative methods of disposal other than open market sale may need to be considered to ensure appropriate ownership.' (Page 23) The Town Council is particularly concerned that the building will be satisfactorily maintained as described and as befitting its Grade II listing and would ask how you intend to ensure that this will happen.
7. The Town Council is pleased to see that the public toilets will remain open and will be maintained by the proposed purchaser but would like to receive an assurance that this will be a condition of the sale; without this the Council feels that the future of the toilets as a public facility cannot be guaranteed.
8. The Council is also pleased to see that public access to the organ will be maintained; again, the Council would ask how this will be assured and how this will work in practice.

Yours sincerely,

By email

Councillor David Woodward
Mayor, Ryde Town Council

Councillor George Brown
Deputy Leader and Cabinet Member for the Economy & Regulatory Services
Isle of Wight Council
County Hall
High Street
Newport
Isle of Wight